

**BEFORE THE
FEDERAL ELECTION COMMISSION**

Julia Brownley for Congress
728 W. Edna Place,
Covina, CA 91722

Complainant,

v.

Strickland for Congress 2012
603 E. Alton Ave, Ste. H
Santa Ana, CA 92705, and

Matthew Doheny
303 Paddock St.
Waterton, NY 13601,

Respondents.

COMPLAINT

Complainant files this complaint under 2 U.S.C. § 437g(a)(1) against Anthony Strickland, Strickland for Congress 2012 and Matt Doheny. The record demonstrates that the Committee accepted contributions from individuals in excess of the \$2,500 per election limit in violation of the Federal Election Campaign Act ("the Act") and Federal Election Commission ("Commission") regulations.

A. Facts

Anthony Strickland is a candidate for Congress in the Twenty-Sixth District of California. His principal campaign committee is Strickland for Congress 2012 ("the Committee"). He participated in the California primary election on June 5, 2012. Matt Doheny is a two-time Congressional candidate: in 2010 he was a candidate in New York's Twenty-Third Congressional District, and he is currently a candidate in New York's Twenty-First Congressional District.¹

On July 15, 2012, the Committee filed its July Quarterly Report, covering the period of May 17 through June 30, 2012. The report shows that on June 28, 2012, after the date of the primary, the Committee accepted a total of \$5,000 in contributions from Doheny, with \$2,500 allocated to the primary and \$2,500 allocated to the general election. The Committee also accepted a total of \$5,000 in contributions from David Hilty on the same day, again with \$2,500 allocated to the

¹ Doheny's campaign website identifies himself as the founder of North Country Capital LLC, which corresponds to the employer and occupation information reported by the Committee. See <http://doheny4congress.com/meet-matt-doheny>.

FEDERAL ELECTION COMMISSION

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OFFICE OF GENERAL COUNSEL

MUR # 6646

primary and \$2,500 allocated to the general. The relevant pages of the July Quarterly Report are attached as Attachment A.

B. Legal Analysis

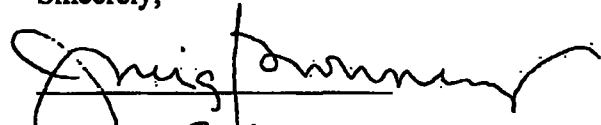
Under the Act and Commission regulations, candidate committees may not accept contributions from individuals which exceed \$2,500 per election. 2 U.S.C. § 441a(a)(1)(A); 11 C.F.R. § 110.1(b). Unless designated otherwise by the contributor, a contribution counts toward the next election after the contribution is made. 11 C.F.R. § 110.1(b)(2)(ii). Contributions may not be designated for an election that has already occurred unless the contribution does not exceed net debts outstanding and the contributor designates the contribution for debt retirement from that election. *Id.* § 110.1(b)(2)(iii).

Here, the Committee received \$5,000 in contributions from both Matt Doheny and David Hilty on June 28, 2012. To give for the primary election, Doheny and Hilty must have made their contributions on or before June 5, and Strickland must have deposited them within 10 days of receiving them. *See id.* § 103.3(a). It strains credulity that both donors could have issued their checks on primary day, only for both of them to languish in the mail for nearly two weeks before receipt and deposit. And Strickland plainly had no debts for which the contributions could have been intended to retire: his July Quarterly Report showed \$0 in debts and obligations, and \$1,006,154.90 cash-on-hand. The only reasonable conclusion from the report – which the Committee filed under penalty of false statement – is that Strickland illegally took excessive contributions.

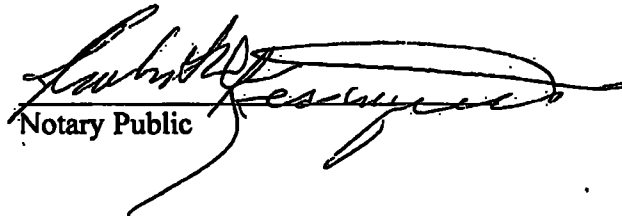
C. Conclusion

We respectfully request the Commission to investigate these violations, including whether they were knowing and willful. Should the Commission determine that Respondents have violated the Act, we request that they be enjoined from further violations and be fined the maximum amount permitted by law.

Sincerely,

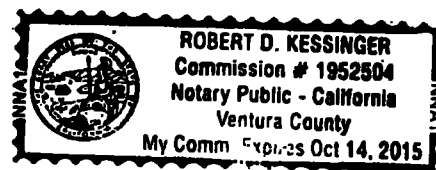


SUBSCRIBED AND SWORN to before me this 11 day of September, 2012


Notary Public

My Commission Expires:

14 Oct 2015



Attachment-A

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 28 OF 166

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d	<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	<input type="checkbox"/> 15
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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
Strickland for Congress 2012

Full Name (Last, First, Middle Initial)

Harold DittmerMailing Address **850 Bercut Dr., Ste C**

City	State	Zip Code
Sacramento	CA	95811

FEC ID number of contributing
federal political committee. **C**Name of Employer
Wellhead Power Margarita, LLCOccupation
Self

Receipt For: 2012

☒ Primary ☐ General
☐ Other (specify)

Election Cycle-to-Date

500.00

Date of Receipt

M	M	D	D	Y	Y	Y
06		30		2012		

Transaction ID : INCA1340

Amount of Each Receipt this Period

500.00

Full Name (Last, First, Middle Initial)

Matt DohenyMailing Address **303 Paddock St.**

City	State	Zip Code
Watertown	NY	13801

FEC ID number of contributing
federal political committee. **C**Name of Employer
North County CapitalOccupation
President

Receipt For: 2012

☒ Primary ☐ General
☐ Other (specify)

Election Cycle-to-Date

5000.00

Date of Receipt

M	M	D	D	Y	Y	Y
06		28		2012		

Transaction ID : INCA1168

Amount of Each Receipt this Period

2500.00

Full Name (Last, First, Middle Initial)

Matt DohenyMailing Address **303 Paddock St.**

City	State	Zip Code
Watertown	NY	13801

FEC ID number of contributing
federal political committee. **C**Name of Employer
North County CapitalOccupation
President

Receipt For: 2012

☐ Primary ☒ General
☐ Other (specify)

Election Cycle-to-Date

5000.00

Date of Receipt

M	M	D	D	Y	Y	Y
06		28		2012		

Transaction ID : INCA1167

Amount of Each Receipt this Period

2500.00

SUBTOTAL of Receipts This Page (optional)

5500.00

TOTAL This Period (last page this line number only)

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
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☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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NAME OF COMMITTEE (In Full)
Strickland for Congress 2012

A. Full Name (Last, First, Middle Initial) Rebecca Henry		Date of Receipt M M / D D / Y Y Y Y 06 30 2012
Mailing Address 40 E. Kelly Road		Transaction ID : INCA1381
City Newbury Park	State CA	Zip Code 91320
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 1500.00
Name of Employer Receipt For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Homemaker Election Cycle-to-Date 1525.00	

B. Full Name (Last, First, Middle Initial) Michael Herson		Date of Receipt M M / D D / Y Y Y Y 06 10 2012
Mailing Address 8709 Burning Tree Rd		Transaction ID : INCA1236
City Bethesda	State CA	Zip Code
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 250.00
Name of Employer American Defense International Receipt For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Lobbyist Election Cycle-to-Date 250.00	

C. Full Name (Last, First, Middle Initial) David Hilly		Date of Receipt M M / D D / Y Y Y Y 06 28 2012
Mailing Address 388 W. Broadway, Unit D.		Transaction ID : INCA1185
City New York	State NY	Zip Code 10012
FEC ID number of contributing federal political committee. C		Amount of Each Receipt this Period 2500.00
Name of Employer Houthorn Cohey Capital, Inc Receipt For: 2012 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation Banking Election Cycle-to-Date 5000.00	

SUBTOTAL of Receipts This Page (optional)	4250.00
TOTAL This Period (last page this line number only)	

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

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 for each category of the
 Detailed Summary Page

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 (check only one)
☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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 NAME OF COMMITTEE (in Full)
Strickland for Congress 2012

 Full Name (Last, First, Middle Initial)
David Hilty

Mailing Address 388 W. Broadway, Unit D.

 City State Zip Code
 New York NY 10012

 FEC ID number of contributing
 federal political committee.

C

 Name of Employer
 Houlthorn Cohey Capital, Inc

 Occupation
 Banking

Receipt For: 2012

☐ Primary ☒ General
☐ Other (specify)

Election Cycle-to-Date

5000.00

Date of Receipt

 M M / D D / Y Y Y Y
 08 28 2012

Transaction ID : INCA1184

Amount of Each Receipt this Period

2500.00

 Full Name (Last, First, Middle Initial)
Honorable Stanley J Daily

Mailing Address 1480 Anacapa Dr.

 City State Zip Code
 Camarillo CA 93010

 FEC ID number of contributing
 federal political committee.

C

Name of Employer

 Occupation
 Retired

Receipt For: 2012

☒ Primary ☐ General
☐ Other (specify)

Election Cycle-to-Date

850.00

Date of Receipt

 M M / D D / Y Y Y Y
 06 13 2012

Transaction ID : INCA1034

Amount of Each Receipt this Period

150.00

 Full Name (Last, First, Middle Initial)
Honorable Stanley J Daily

Mailing Address 1480 Anacapa Dr.

 City State Zip Code
 Camarillo CA 93010

 FEC ID number of contributing
 federal political committee.

C

Name of Employer

 Occupation
 Retired

Receipt For: 2012

☒ Primary ☐ General
☐ Other (specify)

Election Cycle-to-Date

650.00

Date of Receipt

 M M / D D / Y Y Y Y
 08 27 2012

Transaction ID : INCA1182

Amount of Each Receipt this Period

500.00

SUBTOTAL of Receipts This Page (optional)

3150.00

TOTAL This Period (last page this line number only)